**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49‑11‑155 SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO NOTIFY THE COUNTY WHEN THE OWNER OF A DAM CANNOT BE LOCATED AND THE COUNTY MAY ELECT TO REPAIR THE DAM WITH COUNTY FUNDS AND TO PROVIDE A METHOD FOR THE COUNTY TO RECOVER THE COSTS OF THE REPAIR.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 3, Chapter 11, Title 49 of the 1976 Code is amended by adding:

“Section 49‑11‑155. (A) If, after an authorized investigation by the department, the owner of an unsafe dam cannot be located, the department shall notify the governing body of the county where the dam is located. If the county determines that the unsafe dam is a danger to life or property, it may use county funds to make the necessary alterations and repairs to render the dam safe.

(B) In addition to any other method of recovery allowed by law, the county may place a lien on the property where the dam is located to recover the expenses incurred in making the repairs and alterations.

(C) Nothing in this section may be construed to prevent the department from assessing the penalties provided for in this chapter.”

SECTION 2. This act takes effect upon approval by the Governor.

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